

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

UNITED STATES OF AMERICA,

-against-

19 CR 686 (CM)

BRANDON SEEGER, MESSIAH WALL
DENZELL FUNDERBURK, and
JALEEL RIVERS

Defendants.

x

NOTIFICATION OF TRIAL DATE AND SCHEDULE FOR THE FILING OF *IN LIMINE*
MOTIONS AND OTHER PRETRIAL DISCLOSURES

McMahon, C.J.:

This case has been selected as the first back-up case for jury selection and trial commencing Tuesday, April 20, 2021.¹ Although we are a back-up case, we must proceed as though the case ahead of us will plead out. Therefore, the parties will follow the schedule set forth below so that we can be ready – even on short notice – to commence jury selection on April 20 at 9:30 a.m and to proceed to trial immediately thereafter. Our courtroom assignment will depend on what courtroom is available on that date.

The parties will follow the following schedule for pretrial disclosures and motions:

The Government must provide 404(b) disclosure and file any *in limine* motions by March 16, 2021;

Defense *in limine* motions and defense response to the Government *in limine* motions are due March 30, 2021;

Government's response to defense *in limine* motions is due April 6, 2021;

¹ To ensure the safety of all persons entering the SDNY courthouses during the COVID-19 pandemic, the Court has established best practices for limiting the transmission of COVID-19, including, among other measures, mandatory double masking and enforced social distancing. Select courtrooms have been reconfigured to allow for social distancing during jury trials. Because there are a limited number of courtrooms that have been reconfigured to accommodate jury trials, and because only one jury can be selected each day consistent with health and safety regulations applicable during the pandemic, the Board of Judges has established a procedure for deciding the order in which trial-ready cases will be heard and in what courtrooms those trials will be held.

Government to turn over all 3500/*Giglio* material by April 6, 2021;


Proposed *Voir Dire* and Charge Requests are due April 12, 2021;

Government to provide the defense and the Court with a list of its trial witnesses, in the order they will be called, by April 15, 2021.

The Court will hold a final pretrial conference on Monday, April 19, 2021, at 2:00 p.m. The conference may be held in person or may be held remotely, depending on the availability of courtrooms on that day.

Counsel are encouraged to come to the courthouse in the next few weeks (afternoons preferred) to view a courtroom that we might use for trial. Arrangements can be made through Mr. O'Neil.

If any defendant is going to take a plea, the court (in the person of Mr. O'Neill) should be notified immediately.

A handwritten signature in black ink, appearing to be 'C. J. O'Neill', written over a horizontal line.

Chief Judge

BY ECF TO ALL COUNSEL